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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91182023
Party	Defendant FERRARI EXPRESS
Correspondence Address	FRANK FERRANTE FERRANTE, PLLC 5 W 19TH ST FL 10 NEW YORK, NY 10011-4216 FFERRANTE@FERRANTELAWFIRM.COM
Submission	Answer
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Signature	/james j. mercurio/
Date	03/03/2008
Attachments	DOC111.PDF (2 pages)(58357 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of application Serial No. 78/781,037
Published in the *Official Gazette* on September 25, 2007

FERRARI EXPRESS

FERRARI, S.P.A.,

Opposer,

v.

FERRARI EXPRESS,

Applicant.

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Opposition No. 91182023

**APPLICANT'S ANSWER AND AFFIRMATIVE
DEFENSES TO OPPOSER'S NOTICE OF OPPOSITION**

COMES NOW, the Applicant, Ferrari Express ("Applicant"), by and through its undersigned counsel, to answer the Notice of Opposition of Opposer, Ferrari, S.p.A. ("Opposer"), and state as follows:

1. Applicant admits the allegations of Paragraph 1.
2. Applicant denies the allegations of Paragraph 2.
3. Applicant denies the allegations of Paragraph 3.
- 4 - 9. Applicant lacks knowledge or information sufficient to determine the truth of the allegations of Paragraphs 4 through 9, and therefore denies them and demands strict proof thereof
10. Applicant admits the allegations of Paragraph 10.
11. Applicant repeats and reavers the averments of Paragraphs 1 through 10 of this Answer.
12. Applicant denies the allegations of Paragraph 12.
13. Applicant repeats and reavers the averments of Paragraphs 1 through 10 of this Answer.

14-15. Applicant lacks information or information sufficient to determine the truth of the allegations contained in Paragraphs 14 and 15, and therefore denies them and demands strict proof thereof.

16-17. Applicant denies the allegations of Paragraphs 16 and 17.

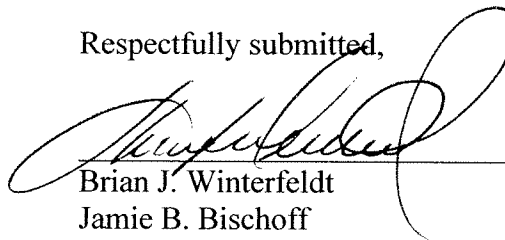
AFFIRMATIVE DEFENSES

18. Applicant repeats and reavers the averments of Paragraphs 1 through 17 of this Answer.

19. Opposer's claims are barred by the doctrines of acquiescence and estoppel.

WHEREFORE, Applicant requests that the Opposition be dismissed and that a Notice of Allowance should be issued.

Respectfully submitted,



Brian J. Winterfeldt

Jamie B. Bischoff

James J. Mercurio

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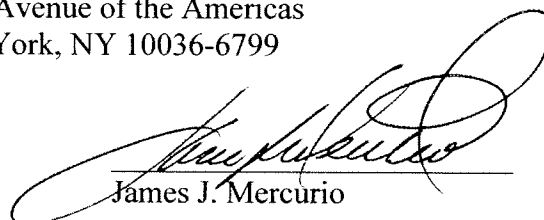
Attorneys for Applicant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by United States Postal Service first class regular mail, and addressed to counsel for the Opposer:

Albert Robin, Esquire
Cowan Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036-6799

on this 3rd day of March, 2008.



James J. Mercurio